

5800
Ser 00/S0005
30 Nov 00

[REDACTED]
FIRST ENDORSEMENT on CAPT [REDACTED], U.S. Navy, ltr
of 27 Nov 00

From: Commander, U.S. Naval Forces Central Command
To: Chief of Naval Operations
Via: Commander In Chief, U.S. Atlantic Fleet

Subj: INVESTIGATION TO INQUIRE INTO THE ACTIONS OF USS COLE
(DDG 67) IN PREPARING FOR AND UNDERTAKING A BRIEF STOP
FOR FUEL AT BANDAR AT TAWAHI (ADEN HARBOR) ADEN, YEMEN
ON OR ABOUT 12 OCTOBER 2000

Encl: (135) Results of interview with SK1 [REDACTED], USN
by LCDR Copenhaver, JAGC, USN
(136) Results of interview with FC2 [REDACTED], USN
by LCDR Copenhaver, JAGC, USN
(137) Results of interview with SH2 [REDACTED],
USN by LCDR Copenhaver, JAGC, USN
(138) Results of interview with TM3 [REDACTED],
USN by LCDR Copenhaver, JAGC, USN
(139) Results of interview with STG3 [REDACTED], USN by
LCDR Copenhaver, JAGC, USN

INTRODUCTION

1. [REDACTED] The attack against USS COLE (DDG 67) in which seventeen Sailors were killed and 42 wounded, is being investigated and analyzed by a number of investigative bodies. No matter what these inquiries conclude, it is clear that the heart and soul of the Navy is our people. If nothing else, the attack on USS COLE establishes beyond any doubt that the men and women who wear the Navy uniform are the best in the world. On USS COLE, every Sailor did his or her duty. USS COLE was gravely wounded, and like generations of Sailors before them, they rose to the challenge and saved their ship.

[REDACTED]

[REDACTED]

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2. [REDACTED] Within hours of the explosion I directed a command investigation into the actions of USS COLE and its crew in preparing for and undertaking their brief stop for fuel in Aden. In the days following the attack, the President directed the Federal Bureau of Investigation to investigate the attack and seek to identify the perpetrators. Additionally, the Secretary of Defense appointed a Commission led by a Flag Officer and an Army General Officer to review the incident "in light of applicable Department of Defense policies and procedures, in order to assess the lessons to be learned from this tragedy."

3. [REDACTED] The focus of the command investigation convened by this headquarters was centered on those matters directly relating to the performance of the ship and the support it received in preparation for its brief stop for fuel in Aden, Yemen. During the course of this investigation, it became clear that the implementation of Force Protection Measures was a critical issue.

4. [REDACTED] The command investigation was completed and forwarded for my review on November 27, 2000. The Investigating Officer should be commended for a job "well done" under the most trying circumstances. The difficulties he encountered were far more arduous than detailed in his report. On October 15, 2000, USS COLE lost power and began taking on water. Captain [REDACTED] rushed to USS COLE and waded into the ship's bilges to spearhead de-watering efforts and assist in establishing internal communications. The Investigating Officer answered the call of duty as few of us could.

5. [REDACTED] In addition to working under extreme physical conditions, in an environment of continuing threat of terrorist attack, the Investigating Officer had a short period of time in which to gather important information. Almost immediately after the attack, efforts were underway to return both the crew and the ship to the United States. The Investigating Officer, through Herculean efforts, gathered sufficient information to obtain an accurate chronology and understanding of events. His investigation, however, includes only part of the complete picture. Other investigative queries and additional crew interviews will undoubtedly establish a fuller picture of the events that transpired on October 12, 2000.

[REDACTED]

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6. [REDACTED] In 1986, USS STARK (FFG 31) was struck by an Exocet Missile. The following year, in 1987, USS SAMUEL B. ROBERTS (FFG 58) struck a mine. Both ships sustained severe structural damage. These incidents resulted in improvements to ship design, ship survivability and damage control procedures. The USS COLE tragedy also offers many lessons learned. As a result of numerous factors, including the imposition of Threat Condition DELTA, the October 15, 2000, re-flooding of the ship, the necessity to complete this investigation quickly, and the immediate return of both the ship and the crew to the United States, these lessons have not been captured in this investigation.

7. [REDACTED] In the coming days, the heavy lift transport BLUE MARLIN will arrive in the United States with USS COLE. In addition, many of the crew will return from leave. It is recommended that a fact-finding study be convened to document the damage control aspect of this tragedy. Information derived during the JAG Manual investigation suggests the study will reflect heroic accomplishments of both individual Sailors and the crew as a whole. Collectively, the crew saved their ship, working with little rest under the harshest conditions. Individual stories include diving into flooded spaces to save shipmates, dragging injured shipmates out of smoke-filled compartments, and emergency triage of the wounded.

8. [REDACTED] The study should incorporate information from: USS COLE crewmembers, Ship Repair Unit (SRU) Bahrain, participating personnel from Mobile Diving Salvage Unit, USS HAWES (FFG 53) and USS DONALD COOK (DDG 75); technical representatives currently riding BLUE MARLIN; Naval Sea Systems Command (NAVSEA) and other key players involved in the initial damage control response and survey efforts. This command will provide information it obtained, and other assistance as required.

9. [REDACTED] In addition to the recommended "damage control" study, the USS COLE tragedy gave rise to a remarkable emergency response involving both medical and security support. The explosion destroyed the USS COLE's medical department. Emergency care for the wounded was provided by COLE Sailors, NAVCENT Emergency Response Team, the French military and local Yemeni hospitals. Sailors found their injured shipmates and carried them to the ship's aft battle dressing station where

[REDACTED]

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broken bones were splinted and wounds were dressed. Within 10 hours of the explosion NAVCENT's Emergency Response Team was on scene in Aden coordinating the medical effort with Saber and Al Gamhooria hospitals. Simultaneously, the French Military Medical Center in Djibouti deployed a medical evacuation aircraft and three triage teams to treat patients and evacuate 11 of the most seriously injured crewmembers to Djibouti. The care provided by the two Yemeni hospitals and the French Medical Team saved the lives of four Sailors and prevented life threatening complications for four others.

10. [REDACTED] Overseeing the overall response, was the Task Force stood up by this headquarters. The first elements of the Task Force (subsequently designated Joint Task Force DETERMINED RESPONSE) accompanied the Emergency Response Team and within 24 hours was providing logistical support and security to USS COLE and additional assets as they arrived on scene. Security was particularly critical. A FAST Platoon provided essential perimeter defense at both the airhead and USS COLE. Our security assets also supported the large FBI Team that arrived several days later. This was a superb effort by all concerned.

11. [REDACTED] Secretary of the Navy has convened a task force to review Force Protection in the Naval Service. This task force will touch on almost all aspects of this investigation. It is recommended this investigation be incorporated in the efforts of the Secretary of the Navy Force Protection Task Force.

12. [REDACTED] My comments concerning the investigative report are divided into five sections. Section One provides background on the Navy's presence in the U.S. Central Command Area of Responsibility. Section Two places USS COLE's port call in perspective by addressing the question, "Why Aden?" Section Three addresses the attack on USS COLE within the context of Force Protection and discusses the command's performance in Aden, Yemen. This section also speaks to the issue of whether the attack was preventable. Section Four discusses improvements to the Force Protection Program. Finally, Section Five contains my recommendations for future action.

13. [REDACTED] As First Endorser on this investigation, I must approve findings of fact, opinions and recommendations. *I approve all findings of fact. I emphatically concur with Opinion One that*

[REDACTED]

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the injuries sustained by USS COLE Sailors as a result of the explosion were in the line of duty, not due to misconduct. In addition, *I emphatically concur with Recommendations One and Two, that the injured Sailors receive in-depth clinical evaluations as part of their post-casualty treatment and, that all personnel assigned to USS COLE receive a comprehensive hearing examination. Finally, I approve all findings of fact and opinions contained in Medical Appendices A and B to this investigation.*

14. [REDACTED] *Opinion 19 and Recommendation 13, concerning the loss of information held in computers as a result of this type of event, should be addressed by Navy Staff in Washington, D.C. I will specifically comment on the remaining opinions and recommendations during the discussion that follows. Enclosures (135)-(139) arrived after completion of the investigation. The information contained within the enclosures is considered in the discussion below.*

SECTION ONE: NAVAL PRESENCE IN CENTCOM AOR

15. [REDACTED] The United States Central Command Area of Responsibility stretches from eastern Africa across the Arabian Peninsula to the western coast of the Indian sub-continent. The AOR includes 25 countries as well as the Red Sea, Gulf of Aden, Arabian Sea, the northern Indian Ocean, Gulf of Oman and Arabian Gulf. It is the CENTCOM AOR where Europe, Asia and Africa join to form a unique and complex region with a diverse political, economic, cultural and geographic make up. The recent history of this area includes continuous upheaval in the areas of both conventional warfare and terrorism. The high level of danger is well illustrated by the: 1986 Exocet missile attack against USS STARK (FFG 31); 1987 mine explosion involving USS SAMUEL B. ROBERTS (FFG 58); 1990-91 Gulf War; 1995 OPM SANG bombing in Riyadh, Saudi Arabia; 1996 Khobar Towers bombing in Saudi Arabia; 1998 embassy bombings at Nairobi, Kenya and Dar es Salaam, Tanzania; and several significant contingency operations, including Operations DESERT STRIKE, DESERT THUNDER and DESERT FOX. Since 1998, U.S. Naval Forces Central Command have conducted continuous combat operations in support of Operation SOUTHERN WATCH. [REDACTED]

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Despite the dangers and high threat levels inherent to the Middle East, the United States Navy has remained a major force for peace and stability in the region for over fifty years.

16. The U.S. Navy established its first command in the Middle East, January 1, 1949. Known as the Persian Gulf Area Command, its forces consisted of two destroyers and a small seaplane tender. On August 16, 1949, the Persian Gulf Area Command was renamed the Middle East Force. During the late 1970's and early 1980's, U.S. Navy units in the region operated at a high operational tempo, culminating in the Kuwaiti tanker escort missions of the late 1980's. Middle East Force ships were the first U.S. military units to take action following the August 2, 1990, invasion of Kuwait when they began Maritime Interception Operations in support of United Nations sanctions against Iraq. In January 1991, with the beginning of Operation DESERT STORM, the Middle East Force was absorbed into U.S. Naval Forces Central Command, the Naval component of U.S. Central Command. Today, U.S. Naval Forces Central Command and U.S. FIFTH Fleet consist of as many as 30 ships and 20,000 Sailors and Marines. These forces typically include an aircraft carrier battle group, an amphibious ready group, surface combatants, maritime patrol aircraft and logistics ships. By way of example, on today's date over 12,000 Sailors and Marines from the ABRAHAM LINCOLN Battle Group and TARAWA Amphibious Ready Group patrol the waters of the Central Command. Naval forces routinely make up over 70 percent of all U.S. military presence in theater.

17. U.S. Naval Forces Central Command is responsible for Force Protection of U.S. Navy assets in the Central Command AOR. This headquarters identifies and prioritizes Anti-terrorism/Force Protection initiatives and funding requirements, and sets, along with U.S. Central Command and U.S. Defense Representatives, Threat Conditions for assigned units. Commander, U.S. Naval Forces Central Command promulgates Operations Order 99-01, providing overarching guidance and specific direction on implementation of the Force Protection Program. This headquarters provides oversight to subordinate operational commanders on Force Protection matters. The Force Protection Officer and I make regular site visits to ports throughout the theater. By way of example, the COMUSNAVCENT

[REDACTED]

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Force Protection Officer was in Aden, Yemen the week before the attack. This command also funds a number of Force Protection initiatives.

18. [REDACTED] U.S. Naval Forces Central Command facilities serve as a Department of Defense test site for new explosive detection technology. Examples include: Barringer Ion Scan Particle Detector for explosive particles; Ion Track Instruments Vapor Tracer for explosive gasses; MTXR-WE X-ray Backscatter and Through Transmission Truck; Rapiscan Secure 1000 Backscatter X-ray Machine for personnel screening; Sabre 2000 Vapor Tracer/Ion scanner; and EG&G Astrophysics Linescan baggage inspection system. Additionally, the following intrusion detection and access control systems have been tested and implemented by this headquarters: Tactical Automated Security System (a microwave portable motion detector); electronic counter measures systems; Cortex video motion detection system; visual and thermal imaging systems; and Intelliflex cabling along perimeter fencelines. This command recently installed an integrated waterside security system at the Mina Salman pier complex, Bahrain, [REDACTED]
[REDACTED]

19. [REDACTED] U.S. Naval Forces Central Command units are recognized as Anti-Terrorism/Force Protection experts within the Department of Defense. In recent years, our facilities have undergone a series of Joint Staff and U.S. Central Command vulnerability assessments. Our facilities received laudatory praise for their Force Protection Programs. In 1998, NSA Bahrain was selected by the Chief of Naval Operations as having the best anti-terrorist program, OCONUS. In 1998, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD SOLIC) selected this headquarters as having the best anti-terrorism program, major command. In 1999, Naval Criminal Investigative Service, Bahrain received an award for innovative Counter Intelligence (CI) techniques. In 1998 and 1999, ASD SOLIC awarded NSA Bahrain First Honorable Mention for Security Forces. In 2000, NSA Bahrain won this award.

SECTION TWO: "WHY ADEN?"

20. [REDACTED] In the aftermath of the USS COLE attack, many have asked the question, "Why Aden?" The answer to this question is

[REDACTED]

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premised on the strategic importance of Yemen, operational commitments and logistical needs of our ships, Threat Levels and Threat Conditions for regional ports, and the availability of reliable port services.

21. [REDACTED] Commander, U.S. Naval Forces Central Command is responsible for the coordination of Naval Force requirements and the conduct of naval operations within the Central Command Area Of Responsibility. The Navy, through the Global Naval Forces Presence Policy (GNFPP), assigns and coordinates the movement of Naval Forces between the various geographic Unified Commanders in Chief in accordance with National Command Authority guidance.

[REDACTED]

Each force allocation in the GNFPP is distinct and meets detailed parameters of National Command Authority and U.S. Central Command directed mission requirements.

[REDACTED]

[REDACTED]

These trained, equipped and ready forces are provided by Commander in Chief, Atlantic Fleet (CINCLANTFLT) and Commander in Chief, Pacific Fleet (CINCPACFLT) since U.S. Central Command, with the exception of four Mine Counter Measure ships homeported in Bahrain, has no standing forces.

22. [REDACTED] Ships originating from CINCLANTFLT, passing through the Mediterranean area of operations, undertake a 3,000 mile journey from the Mediterranean Sea to the Arabian Gulf. Upon exiting the Suez Canal, most ships are required to refuel at least once before arriving in the Arabian Gulf. A limited number of tankers accompany multi-ship battle groups. There are not enough tankers to refuel every U.S. warship at sea, particularly

[REDACTED]

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those that travel alone. As a result, most independently transiting ships make brief stops for fuel enroute to the Arabian Gulf, as was the case for USS COLE. At the time of the attack, the ABRAHAM LINCOLN CVBG and TARAWA ARG/13th MEU were assigned to U.S. Naval Forces Central Command. The USS COLE was specifically assigned to meet [REDACTED] requirements for the theater. On October 12, 2000, USS COLE was steaming independently to join the ABRAHAM LINCOLN CVBG in the Northern Arabian Gulf. The requirement to be within a specified geographic area for immediate contingency response (TLAM) necessitated a 25-knot speed of advance that was in excess of the speed for optimum fuel efficiency.

23. [REDACTED] Consistent with U.S. Navy policy, COMUSNAVCENT policy is to keep all ships fueled to at least [REDACTED] capacity to ensure they are able to meet emergent tasking. In planning the USS COLE transit, it was recognized that the ship would require a brief stop for fuel to conform to the [REDACTED] and reach station in the Arabian Gulf. Regardless of the speed of advance, USS COLE required refueling prior to reaching and maintaining station in the Arabian Gulf. The speed of advance limited the geographic window where the refueling would become necessary to maintain [REDACTED]. With this in mind, Commander U.S. Naval Forces Central Command planned and approved a brief stop for fuel in Aden. Consistent with this planning, USS COLE reported [REDACTED] the night before arriving in Aden.

24. [REDACTED] As this endorsement discusses Threat Condition Bravo for Yemen, a description of the criteria used in setting a Threat Condition is useful. Fundamentally, the Threat Condition drives a military unit's Force Protection posture and is derived from a Commander's best judgment of the threat environment. The methodology for establishing a Threat Condition involves a combination of factors, the most important of which is the Threat Level. The Threat Level is set by the unified Commander In Chief in full coordination with the National Intelligence Community. If the Threat Level is not accurately assessed, the Commander is at risk for setting a Threat Condition that does not mirror the true threat. [REDACTED]

[REDACTED] This Threat Condition represents a robust Force Protection capability

[REDACTED]

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against a general threat. When a specific warning arises above the "normal" level of threat indicators and warnings, a higher Threat Condition is established.

25. [REDACTED] Throughout 1999 and 2000, the [REDACTED] [REDACTED] issued a variety of Terrorist Threat Advisories and Assessments and other products describing the overall terrorist threat situation in the U.S. Central Command Area of Responsibility. A common theme was that a credible near-term terrorist threat existed throughout the AOR. This threat included Yemen, although Yemen was not specifically singled out as being any more or less dangerous than elsewhere in the AOR. During 1998-99, the Threat Condition in Yemen was CHARLIE. [REDACTED]

[REDACTED] I totally concurred with his assessment. On the day USS COLE was attacked, the Threat Level in Aden, Yemen, was HIGH and the Threat Condition was BRAVO.

26. [REDACTED] Another common theme of the reports throughout 1999 and 2000 was that [REDACTED] groups [REDACTED] could execute attacks throughout the AOR, or even world wide, with little or no warning. Despite these general advisories of a high Terrorist Threat Level throughout the AOR, there were no specific Threat "Warnings" of imminent attack against U.S. interests in the AOR issued by any agency during this period.

27. [REDACTED] Yemen, a fledgling democracy with which the United States enjoyed cordial relations, is strategically located along a key maritime corridor and controls one of the seven key maritime chokepoints in the world (Bab el Mandeb). Although [REDACTED]

[REDACTED] there had been no terrorist attacks specifically directed against Americans since the December 1992 bombings of two hotels in Aden occasionally used by U.S. military personnel. While kidnappings of foreign tourists have occurred, these events were conducted by Yemeni tribes as a means to address grievances with the central government, and with one exception in December 1998, were all resolved peaceably. These kidnappings resulted in a series of State

[REDACTED]

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Department Travel Advisories, these activities were not directed against U.S. military personnel or activities.

28. [REDACTED]
[REDACTED] we did not believe an attack in Yemen would occur. The simple fact is that terrorists operate out of most Middle East countries, [REDACTED]
[REDACTED]

[REDACTED] With respect to Yemen, we have had Navy demining personnel on the ground there for the past two years. In that time we never received a specific threat against our personnel or ships, although in January 1999, we did observe surveillance of our demining team and directed immediate departure of all our forces from Yemen. Our experience in Yemen is in distinct contrast to other countries in the region, where we received specific threat warnings and, in response to those warnings, conducted emergency sorties of our ships.

29. [REDACTED] Up until 1998 our ships used the African Port of Djibouti as the primary fueling stop between the Mediterranean Sea and the Arabian Gulf. The preference for Djibouti was based principally on access and not the superiority of port services or fuel storage capacity. Djibouti has limited fuel storage capacity, berthing and pumping capabilities. When conducting fueling stops, U.S. Navy ships competed with commercial shipping for the limited berthing and port services. During the late 1990's the overall situation in Djibouti deteriorated. Crime in that city was increasing and personal safety could not be assured. Every indication was that the situation would get worse. At the same time, we had an immensely successful regional engagement program in Yemen. We were working with the Yemeni government to help establish a Coast Guard able to assist with smuggling interdiction, fisheries enforcement, environmental pollution protection, immigration enforcement, and search and rescue. Additionally, a U.S. Congressionally funded humanitarian demining program, under the command and control of this headquarters, was underway. By October 2000, we had trained over 500 Yemeni deminers who had cleared over 12 minefields and disposed of thousands of pounds of unexploded ordnance left over from Yemen's long civil war. The engagement strategy also included the development of a ship refueling program. We conducted a number of studies and were satisfied

[REDACTED]

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that Aden, located across the Bab el Mandeb from Djibouti, was a preferable location for fueling. The navies of Great Britain, France, Italy and the Netherlands were all using Aden as a refueling stop. In 1998, reflective of the changing dynamics, the Djibouti fuel storage contract was terminated and the Defense Energy Support Center negotiated a strategic fuel storage and bunkering contract with Yemen.

30. [REDACTED] By contrast to Yemen, the Threat Condition in Djibouti was higher, at CHARLIE. Although DIA assessed the Terrorist Threat Level of Djibouti to be LOW, Central Command assessed it to be MEDIUM. Central Command's assessment of a higher Threat Level than DIA was driven by several factors, including greater analytic focus [REDACTED]

[REDACTED] Of significant concern were several reports over the spring and summer of 2000 of a [REDACTED] group, [REDACTED] planning to conduct attacks against U.S. interests in the Horn of Africa area. Given Djibouti's porous borders, poor security environment, [REDACTED]

[REDACTED] the terrorist threat to U.S. ships calling in Djibouti was assessed as credible. Small-scale terrorist attacks in Djibouti, such as grenade throwing against establishments frequented by the French military, were relatively frequent as recently as 1999. Djibouti suffered from a very high crime rate and an unstable government situation. Throughout 2000, the Port of Djibouti was inundated with military cargo destined for Ethiopia in its ongoing war with Eritrea and with humanitarian goods intended to alleviate the famine in the Horn of Africa. The potential for spillover from the Ethiopia/Eritrea War, in particular possible Eritrean attempts to interdict Ethiopia's only military supply route to the sea, was a threat to Djibouti throughout 2000. In addition, U.S. Navy ships refueling in Djibouti were required to go alongside a quay, susceptible to vehicle bombs or small arms attack. As a result of all these factors, the Threat Condition for Djibouti at the time of attack on USS COLE, as set by the U.S. Defense Representative (the U.S. Defense Attaché), was assessed as CHARLIE. I fully concurred with that assessment.

31. [REDACTED] In February 1999, we commenced refueling operations in Aden under the recently negotiated Defense Energy Support Center

[REDACTED]

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contract. USS COLE was the 25th ship over a 19-month period to utilize the refueling facilities in Yemen. The program was working well, and we were satisfied. The short answer to the question, "Why Aden?" is that Aden represented the best alternative. Our ships had to stop for fuel, and the alternative, Djibouti, was unacceptable from Force Protection and safety perspectives, and did not have reliable port services.

SECTION THREE: USS COLE IN ADEN, YEMEN

32. [REDACTED] This incident highlights that naval forces are as vulnerable as land forces to terrorist attack. Our ships must be able to defend themselves against such attacks. The cornerstone of a successful defense is a qualified and properly trained crew.

a. Forty (40) crewmembers were scheduled to stand a ship security watch (Quarterdeck or Rover Watch) on October 12, 2000. In this group, fifteen (15) were not fully qualified to stand their assigned Watch Station. Due to the destruction of the Relational Automated Data Management System, the Investigating Officer was unable to develop a definitive conclusion as to the health of USS COLE's qualification program. It should be noted that the investigation does not disclose any instance where the lack of qualifications influenced events in Aden, Yemen.

b. USS COLE actively trained in all aspects of self-defense, small arms proficiency, damage control, Rules of Engagement, and use of deadly force. *I concur with Opinion Two* that USS COLE was sufficiently trained in these areas when it entered this theater.

33. [REDACTED] The unpredictable, sophisticated nature of terrorism requires the crew of a ship to have a mental edge, a mindset, that is prepared for the unpredictable, a vigilance that keenly inspects its surroundings, and a constant state of awareness that the threat is always there. This is an absolute bedrock requirement for ships entering this AOR.

a. This requires timely information as to the level of threat in this theater and a robust shipboard program that reaches each crew member. *I concur with Opinion 14, paragraph*

[REDACTED]

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a., that the necessary threat information was available for USS COLE.

b. However, the investigation indicated the crew was not focused on the terrorist threat in Yemen. There was a lack of specific knowledge as to the Threat Level and Threat Condition in Yemen. Certainly, the manner in which the ship implemented its Force Protection Plan indicated the crew did not comprehend the known dangers in Aden, Yemen. *I concur with Opinions Four and Five.*

34. [REDACTED] In order to defend against an enemy that can be highly unpredictable, our ships must know what defensive measures to take in any given port visit and then properly execute the measures. The Force Protection Planning process establishes the conduit through which intelligence assessments and security overviews are translated into appropriate self-defense measures in order for ships to defend themselves against the terrorist threat as they are understood by the chain of command. The importance of the system cannot be overstated. A robust shipboard Force Protection Program is necessary. My assessment is that USS COLE had developed such a program and had exercised it prior to entry to this theater. *I concur with Opinion Three.*

35. [REDACTED] The Force Protection Planning process is well designed. It provides individual ships with the specific measures they should employ in the ports in this AOR. It removes any guesswork as to what measures the ship should take in any particular port and in any particular Threat Condition. So long as higher authority is able to accurately determine the appropriate Threat Condition in a port, the ship has the means to successfully protect itself in case of terrorist attack. That said, at the shipboard level, the system is only as good as its implementation. I expect each commanding officer to deliberately plan and then deliberately execute a meaningful Force Protection Plan while inport in this AOR.

a. After review of this investigation, it is clear this focus was lacking on USS COLE. The ship had sufficient information about Aden, Yemen to critically evaluate and plan meaningful Force Protection Measures prior to the ship's arrival. Neither prior to, nor after mooring, is there any evidence of a methodical planning process as to what measures

[REDACTED]

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were to be implemented. *I concur with Opinion Six* that the ship implemented an unstructured assortment of Force Protection Measures.

b. I am disappointed in the implementation of Force Protection Measures onboard USS COLE. Distilled to its simplest, all the command had to do was follow methodically the Force Protection Measures checklist. The Watch was not briefed on the plan or their responsibilities, the Bridge was not manned, service boats were not closely controlled, and there was little thought as how to respond to unauthorized craft being along side. Watch standers relied on their general knowledge in providing security. *I concur with Opinion Seven* that there was no deliberate execution of Force Protection Measures.

c. The Commanding Officer, Executive Officer, Force Protection Officer, and Command Duty Officer, as a group, took few steps to follow or otherwise ensure their Force Protection Plan was implemented. The Commanding Officer cannot delegate this responsibility to the Force Protection Officer and maintain meaningful oversight. There was no active participation by those responsible for Force Protection on USS COLE in ensuring Force Protection Measures were being properly carried out. *I concur with Opinion Eight* that in Aden, Yemen there was no active supervision of the Force Protection Plan.

36. [REDACTED] As a result of the failure to deliberately plan, deliberately implement, and actively supervise a Force Protection Plan, a number of Force Protection Measures were not accomplished. Within this context, *I concur with Opinion 20 and Recommendations 15, 16, 17, and 18* that subsequent endorsers should review the performance of the Commanding Officer, Executive Officer, Command Duty Officer, and Force Protection Officer with respect to their responsibilities in planning and executing USS COLE's Force Protection Measures in the Port of Aden, Yemen. It is clear, however, **that had USS COLE implemented the THREATCON BRAVO Force Protection Measures appropriately, the ship would not have prevented the attack. I am convinced THREATCON BRAVO Force Protection Measures were inadequate to prevent the attack.** Regrettably, we did not possess the specific threat information that would have compelled the establishment of a higher Threat Condition. *Thus, I concur with Opinion Nine. I further concur with Opinions 10*

[REDACTED]

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*and 11 in so far as the failure to implement certain measures allowed the terrorist boat to come alongside USS COLE unnoticed and unchallenged; however, I **disapprove** those portions of Opinions 10 and 11 that state the actions "might have prevented the event or deterred the terrorist boat."*

37. [REDACTED] On October 12, 2000, the Threat Level in Yemen was set at HIGH. As there was no specific threat warning, Threat Condition BRAVO was warranted. This was a correct assessment based on all available information and intelligence. In reality there were adversaries, laying in wait, poised to strike a U.S. ship moored at Refueling Dolphin Number Seven. These adversaries were highly professional with considerable expertise and knowledge. Had these facts been known, the USS COLE would not have been scheduled to stop in Aden.

38. [REDACTED] We cannot use 20-20 hindsight to penalize a commanding officer for not knowing in advance what has become common knowledge - that a determined, well-armed and well-financed terrorist cell was operating in the Port of Aden. In fact, all of the intelligence assets of the United States and its allies, as well as the U.S. Embassy in Sanaa, did not identify the threat, let alone communicate the presence of that threat to the Commanding Officer of USS COLE.

39. [REDACTED] Additionally, just prior to arriving in Aden, Yemen, the Commanding Officer of USS COLE read an e-mail forwarding to him a Naval Criminal Investigative Service message describing the new Threat Level evaluation system promulgated by Assistant Secretary of Defense for Special Operations and Low Intensity Conflict. This was a policy message that did not contain real time tactical information for fleet units and it had not been implemented by U.S. Central Command. The Commanding Officer mistakenly interpreted the message to mean that the Threat Level for Yemen had decreased. While it is impossible to know the precise effect of this perception on the final outcome of events, it may have contributed to his lack of focus on Force Protection Measures in the Port of Aden. The Commanding Officer USS COLE was told to expect a certain level of threat. We cannot blame him for not sensing that the threat was much greater than he was led to believe by national intelligence sources with access to the best information available. To the contrary, the Naval Criminal Investigative Service message he

[REDACTED]

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received shortly before entering port led him to mistakenly believe the threat was decreasing.

40. [REDACTED] It is clear the Topside Rovers acted appropriately. In Aden, the enemy camouflaged his presence by blending in with other harbor traffic. The terrorist boat was similar in size and shape to many other small vessels, including the service craft that had been alongside or handling USS COLE's lines. It was not distinctive in any way. The men operating it looked like typical local nationals. The boat was operated and maneuvered in a completely benign manner. The "battlefield" scene presented to our sentries was devoid of either a hostile act or hostile intent. Under these circumstances our sentries, though adequately armed and knowledgeable on the use of deadly force, were not presented with sufficient justification to use force. It appears our adversaries understood our rules and used them to their advantage. *I concur with Opinions 12 and 15.*

41. [REDACTED] Finally, while this investigation focused on the actions of USS COLE and, particularly, the actions of its leadership, these actions must be placed in context. The events on October 12, 2000, in Aden Harbor were, in reality, a combination of actions by USS COLE, Fleet logistic and contingency requirements, declining number of replenishment ships, intelligence assessments, Task Force oversight, U.S. policy and relations with the Government of Yemen, Navy and Joint Force Protection Measures, and the training cycle prior to deployment. This said, **the cause of this tragic event was an attack by a well-trained and determined adversary.**

SECTION FOUR: IMPROVING FORCE PROTECTION

42. [REDACTED] Force Protection planning also provides for oversight and assistance to individual ships. By submission of their plans to their Task Force Commanders, there is a check on whether appropriate measures are being implemented. This requires accurate submissions by ships and meaningful review by the Task Force Commander. *I concur with Opinion 13* that there was in this case perfunctory compliance in both submission by USS COLE and review by CTF-50.

43. [REDACTED] Contributing to the lack of meaningful submission of the Force Protection Plan by USS COLE and its review by CTF-50

[REDACTED]

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was the absence of trained, full time Force Protection Officers. Force Protection can no longer be a collateral duty. *I fully concur with Recommendation Six* that the Force Protection Officer be an assigned billet vice a collateral duty on U.S. Navy ships and staffs. However, the issue goes beyond dedicated Force Protection Officer billets. Force Protection should become part of every Naval Officer's basic skills, just like damage control and navigation. The Navy must incorporate Force Protection in its training, from boot camp to retirement. Ships must work up and train to Force Protection Measures they will be using on deployment. Training commands must ensure that the full spectrum of waterside security and shipboard Force Protection Measures are trained during the Inter-Deployment Training Cycle. Forces arriving in theater should be trained and ready to execute the Force Protection Mission. (*Recommendation 9*).

44. [REDACTED] The ultimate beneficiary of Force Protection Measures must be the individual ship. As such, we should eliminate inconsistencies and ambiguities in the program that may cause either uncertainty or unnecessarily add to the administrative burden on the individual ship. *I concur with Opinion 17* that the current system places the onus on the individual ship to retrieve the critical threat assessments and knowledge of this theater. On USS COLE this burden fell on the Assistant Force Protection Officer (a Lieutenant Junior Grade) and a senior Petty Officer.

45. [REDACTED] There are some immediate steps that can be taken to lessen this burden. U.S. Naval Forces Central Command will review how it can better assist in preparing ships for their deployment to this AOR. (*Recommendations 3, 4, 5, 9*). Stateside Fleet Commanders must also review their Inter-Deployment Training Cycle to ensure deploying units are prepared to fully exercise the Force Protection Measures applicable in this theater. (*Recommendation 3*). The U.S. Embassy country teams must be more involved in future port calls. Host nation support that provides security for our ships, as well as implementation of appropriate Force Protection measures, must be negotiated by the embassy with the host nation. The United States Defense Attaché Offices should provide, without being asked, salient port information such as host nation security arrangements, to ships calling in their respective country. We should push hard for greater host nation support. (*Opinion 16, Recommendations 8*

[REDACTED]

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and 10). As a systemic approach, I concur that we should develop methods to push relevant information to each ship. This will lessen the burden on the ship, as well as ensuring that the information has been made available. (Recommendation 14).

46. [REDACTED] A reading of the current Force Protection Measures finds several that are redundant, or through their broad language, raise questions as to implementation procedures that have been spelled out in detail for land-based Force Protection Measures. I strongly support efforts to draft and promulgate common guidelines for naval vessels on how to accomplish each Protection Measure, and support technological developments to make implementation easier. (Recommendation 12).

47. [REDACTED] I concur with Opinion 18 that there is a current disparity between Navy Force Protection Measures applicable in the CINCUSNAVEUR AOR and those promulgated by the Joint Chiefs of Staff and applicable in this theater. The Investigating Officer noted that two critical Force Protection Measures not accomplished by USS COLE are found in Joint Staff guidelines for Threat Condition BRAVO, but not required under Navy guidelines for the same Threat Condition. This type of inconsistency should be eliminated. I concur with Recommendation 11 that we should have one unified Force Protection scheme.

48. [REDACTED] Commanding Officer USS COLE should not have had to consider multiple Threat Level assessments or systems. The Commander in Chief for this theater has the authority to decide when it is time to change threat evaluation systems and sets the Threat Level for each country in the AOR. Interloping messages create confusion and thus should be discontinued. (Opinion 14.b.).

SECTION FIVE: CONCLUSION

49. [REDACTED] Our ability to defend U.S. interests, including military assets, depends on our recognition that we have been drawn into an undeclared war. This was not a purely criminal act. The attack on USS COLE was an asymmetric act of war by an elusive adversary. In 1983, over two hundred Marines lost their lives in a terrorist attack in Beirut, Lebanon. Thirteen years later, in 1996, the adversary attacked us at Khobar Towers, killing 19 and wounding over 200 U.S. personnel. Four years

[REDACTED]

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later on October 12, 2000, we were hit again--this time in Aden, Yemen. There is absolutely no evidence to suggest that terrorists will forsake further battle.

50. [REDACTED] The emergence of the transnational maritime terrorist establishes a new "baseline." Our adversary is supported by both ideologically committed groups, and hostile nations willing to use terrorism as an instrument of their foreign policy. His people are willing to sacrifice their lives in the pursuit of their causes. During the last fifty years the United States dedicated billions of dollars towards developing a sophisticated intelligence network and modern military that could detect, deter, and defend against conventional warfare. These resources, tactics, and strategy must now be focused on the global terrorist. We must approach this new challenge with the same commitment demonstrated in the past.

51. [REDACTED] Only through honest, forthright review of the attack on USS COLE, will we be able to prevent such a tragedy in the future. In the aftermath of this event it is painfully obvious there has been insufficient emphasis on waterside security. The 1996 Khobar Towers bombing energized our efforts in providing in-depth, layered force protection for land-based personnel and units. Standoff zones, hardened perimeters, point defenses, and aggressive inspection practices became the "norm" for overseas facilities. Sadly, as we look seaward, the same cannot be said. A typical land-based unit in Threat Condition ALPHA will have a perimeter with Rules of Engagement "tripwires" that will expose hostile intent harbored by an intruder. In the maritime environment, it is not until imposition of Threat Condition CHARLIE that equivalent Force Protection measures, e.g., declaration of a perimeter with picket boats, are implemented. These types of measures are easier to impose where there exists a permanent Navy presence. They are significantly more difficult to implement in those locations where we only make infrequent stops, or periodic visits. Accordingly, it is imperative that host nation agreements allow us to employ effective Force Protection Measures. In those nation states where support and cooperation are inadequate, or not forthcoming, we need to re-evaluate our port call policy. (Recommendation 7).

[REDACTED]

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52. [REDACTED] The attack on USS COLE should forever and fundamentally change the way we do business in the United States Navy. In the future there must be a level of security, never before seen, surrounding our warships. We must extend our maritime combat philosophy, which has focused on "Blue Water" ship self-defense for the last five decades, to territorial waters, internal waters and ports. Wherever our ships go, they are vulnerable to terrorist attack. We must put in place flexible, impenetrable vital zones suitable for the air, surface and subsurface terrorist attack. These efforts must be accomplished in concert with host nations and must involve the active participation of our ambassadors and their country teams.

53. [REDACTED] Our Force Protection Program in this theater has been our highest priority. It is underpinned by our recognition that we live and operate in a dangerous area, "surrounded" by terrorists who are committed to drive us out of the region. We recognize Force Protection as a mission; a mission that must succeed if we are to have any hope of maintaining our presence in the region, and succeeding in our ultimate objective of bringing peace and stability to this troubled, yet vital, part of the world. We have put forth our best effort, worked incredibly hard, and devoted enormous time and energy towards it. In spite of the attack on USS COLE, we believe we have been very successful. Our Force Protection Program has been singled out for high praise during numerous Joint Service Vulnerability Assessments and we have been presented a variety of awards. We have been complimented by our Senior Leaders on numerous occasions for the high level of excellence of our program. We have never rested on our laurels, and have constantly sought to improve our program. Our greatest source of gratification has come from our knowledge that, through our collective effort, we have actually deterred and disrupted planned terrorist attacks in the past. Unfortunately, this extraordinary effort we have put into our Force Protection Program was simply not good enough on October 12, 2000, when USS COLE was attacked.

54. [REDACTED] As the Naval Component Commander for U.S. Central Command, I am responsible for the protection of our Naval forces in this region, and I was responsible for scheduling USS COLE for this brief stop for fuel in Aden, Yemen. I did not, and do not now, take these responsibilities lightly. Shortly after I took command, and before the Defense Energy Support Center

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established a contract for refueling in Aden, I traveled to Yemen to assess, first hand, the viability of our Engagement Program with Yemen, including the development of a refueling capability in Aden. In October 1998, accompanied by U.S. Ambassador Barbara Bodine, and the Governor of Aden, I visited Captain Moti, the Director of Aden Port Authority. Captain Moti briefed our delegation on his port, and how refueling operations would be conducted. Together, we boarded one of his Harbor Security Craft and toured Aden Port, inspected the Refueling Dolphins, and assessed the various security parameters of the port. I was impressed with Captain Moti, his people, and his port. He pledged to work closely with us to ensure the utmost security for our ships if Aden was used as a refueling stop. I then traveled to Sanaa with Ambassador Bodine, where we met, in separate meetings, the President of Yemen, the Prime Minister, and the Ministers of Foreign Affairs, Defense, and Interior. In each of these meetings, I discussed the potential of refueling in Aden. I was impressed with all of these men and their commitment to work together with us to ensure the success of our Engagement Program, and in particular, our refueling operation in Aden. It was evident that they all took great pride in the fact that the U.S. Navy would even consider refueling in Aden, and that they took great pride in Yemen's relationship with the United States. After returning to my headquarters, and after consulting with my staff, I reported to General Zinni, then Commander in Chief, U.S. Central Command, and recommended we commence refueling operations in Aden if the Defense Energy Support Center established a contract in Aden. General Zinni accepted my recommendation and instructed me to proceed.

55. [REDACTED] In December 1998, I was informed that the Defense Energy Support Center had established their contract and I then directed my staff to start scheduling brief stops for fuel in Aden. Since then, I have personally reviewed and approved every proposed fuel stop in Aden, after carefully consulting with my Intelligence Officer and my Force Protection Board, weighing the threat information we had and the security situation at the time. In addition, during 1999 and 2000 I made several return visits to Aden to conduct personal, on-site assessments. At no time since we commenced refueling operations did we ever receive a specific threat warning for Aden, and at no time during my consultations with Ambassador Bodine or any of the Senior Yemeni Government Officials with whom I frequently met, did I ever

[REDACTED]

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discern a threat against our ships. In spite of my personal efforts, and those of my staff, our Ambassador, and her country team, and, in my opinion, the Government of Yemen, we suffered a ferocious attack on USS COLE and lost 17 of our precious men and women.

56. [REDACTED] Force Protection is our number one priority. We have worked it hard and we have done our best. Our best was not good enough on 12 October 2000. We simply had no warning that some of the most lethal terrorists in the world were present in Aden, totally committed to destroying our ship and killing as many Americans as they could. In closing, I wish to acknowledge the great debt of gratitude that our nation owes to the brave men and women of USS COLE.

C. W. MOORE, JR.

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